AMENDMENTS TO THE CLAIMS

1-2. (Cancelled)

3. (Previously Presented) The method of claim 48, wherein said generating step further comprises generating said PNS with an encryption algorithm.

OK to Enter MK 10/23/2006

4. (Previously Presented) The method of claim 48, wherein said combining step further comprises modulo-2 adding of said symbol indices and said PNS.

5. (Previously Presented) The method of claim 48, wherein said combining step further comprises arithmetic adding of said symbol indices and said PNS.

6-18. (Cancelled)

19. (Previously Presented) A communication device for scrambling a digital data stream for use in a non-self-synchronizing scrambling (NS3) communication system, said system supporting a variable number of bits per symbol less than or equal to a maximum number of bits per symbol, said digital data stream comprising a series of bits and having a bit transmission rate, the communication device comprising:

means for converting each N bits of the digital data stream into a symbol index to produce a stream of symbol indices;

means for generating, at a rate derived from a symbol rate and different than the bit transmission rate, a pseudo-noise sequence (PNS), said PNS comprising M output bits, wherein M is at least as large as said maximum number of bits per symbol and M is independent of N; and